A True NARRATIVE OF THE PROCEEDINGS IN The severall Suits in Law that have been between the Right Honourable *Charls* Lord *Gerard* of *Brandon*, and *Alexander Fitton*, Esq.

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Published for generall Satisfaction.

By a Lover of Truth.

HAGUE, Printed, MDCLXIII.

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A True Narrative, of the Proceedings in the several Suits in Law, that have been between the Right Honourable Charles *Lord* Gerard *of* Brandon, *and* Alexander Fitton, *Esq;*

TO the end this Narrative *may more fully satisfie all those unto whom any Report of the Proceedings betwixt the Lord* Gerard, *and Mr.* Fitton, *either hath, or at any time shall come, the true Case and Rise of the Controversie is briefly to be declared.*

THE Estate which has occasioned this Contest, heretofore belong'd to Sir *Edward Fitton* (about 20 years since deceased) a Person well known in *Cheshire*, not onely as a Gentleman of fair Estate, and well-descended Family, but as a man of honest Principles, and eminently Loyal to his Prince. The said Sir *Edward* having no Issue living, neither by his first nor second Wife, did consider how to establish the Succession of his Estate after his own decease, in case he should dye without Issue; and finding by the antient Deeds and Entails of his Family (in which

his *Eſtate* for many Diſcents had proſperouſly continued) that his Anceſtors had made it their chief Work and Care, to entayl the *Eſtate* on their Heirs-Male of the *Fittons*, being himſelf prompt thereto in his own Inclinations, as a fervent Lover of his Name and Family, To follow their example, reſolved, that as his *Eſtate* came to him through a fair Succeſſion of his Anceſtors, ſo he vvould leave it to Poſterity: often profeſſing, he vvas obliged in Juſtice, to deal no vvorſe vvith his Succeſſors, then his Predeceſſors had done vvith him. He further conſidered, That hereby he ſhould do his Siſters no injury: for he had given them all good Portions, amounting to about eleven thouſand pounds, and marryed them to Perſons of Quality, and fair eſtates in *Cheſhire*, and other Neighbouring Counties; and ſo had beſtovved them for the continuation of other Families, and an Allyance to his ovvn.

Having therefore taken prudent Care for the Payment of his Debts, and by Will made in *November*, 1641. diſpoſed of ſome Legacies to his Siſters Children, he reſolved to reſtore the Antient Entayl of his Family, which he had been forced, upon his firſt Marriage, to cut off, to enable him to ſettle a Joyntur[illegible] on his Wife, and to make Proviſion for ſuch younger Children as he might have by her. And therefore by his Indenture, Dated 9 *November*, 17 *Car.* he reduced the Succeſſion to its former Courſe, and ſetled his Eſtate, after his own deceaſe without Iſſue, on *William Fitton* Eſq; his next *Male*-Kinſman, for life; and after his deceaſe, on *Edw. Fitton*, the eldeſt Son of *William Fitton*, (who is ſince deceaſed) and the Heirs-male of his body; and for default of ſuch Iſſue, on *Alexander Fitton*

now living, and the Heirs-male of his body; with divers Remainders over to other Persons of the Name and Bloud of the *Fittons*. In which Settlement, there was a Power of Revocation contained.

Now for that of late, some Persons too partial to the Lord *Gerard*'s Cause, have taken upon them to speak, as from the said Lords own mouth, that *William Fitton* was a meer stranger to Sir *Edward Fitton*, no Kinsman of his, but a Person usurping the Name, and born in *Ireland*; It will be requisite to annul these Aspersions, by manifesting in what degree of Kindred the said Sir *Edward Fitton*, and *William Fitton* were link't, whose Pedigree the Reader may observe as followeth:

Sir *Edward Fitton* of *Ganeſworth* Knight, by Command of Queen *Elizabeth*, went over into *Ireland* to serve her Majesty there in her Wars, about the beginning of her Raign, and was by the said Queen made Lord President of *Connaught* and *Thomond*, and afterwards Treasurer of *Ireland*. He had Issue,

Sir *Edward Fitton* Kt. who had Issue	And *Alexander Fitton*, who had Issue
Sir *Edw. Fitton*, Bar: who had Issue the last	*William Fitton*, who had Issue
Sir *Edward Fitton*.	*Alexander Fitton*.

By which it doth appear, that Sir *Edward Fitton*, Father of the late Sir *Edward*, and *William Fitton* were

Brothers Children. And the last Sir *Edward Fitton*, and *Alexander Fitton*, Cosin-Germans once removed, being both Great Crand-Children to Sir *Edward Fitton*, the Treasurer of *Ireland*, who is the Common Ancestor in this Pedigree.

It remains now to declare, how *William Fitton* came to be born in *Ireland*, and so to salve the Objection, of his being a Forreigner. It is manifest, that Sir *Edward Fitton* the Treasurer, and Common-Ancestor, served Queen *Elizabeth* in *Ireland*, and then dyed in her service; to whose *Son*, the Queen for a Reward of his Fathers service, gave fair Possessions in that Kingdom: and he afterwards sold a considerable part of his *Irish* estate to his second Brother *Alexander Fitton*, who was a Captain there in Queen *Elizabeth*'s Wars, and marryed indeed an *Irish* Woman, but of such extraction, as he did not thereby discredit his Family, but added to it a Nobler Allyance. She was of the Family of the *O' Briens*, Earles of *Thomond*, whose *Stem* is well known in that Kingdom to be so Noble, that divers of their Ancestors are said to have been Kings of *Ireland*. By her he had Issue *William Fitton*, who by his Mothers side is allyed to the antient Nobility of *Ireland*, and is the next Heir-male of Sir *Edward Fitton*, though born in *Ireland*, and inherits his Fathers estate there to this day. This is so apparent, that it may, if his Adversaries deny it, with much facility be made evident. And it is confessed by Sir *Edward Fitton* in the recited Settlement, wherein he owns the said *William Fitton* to be the *Son* of *Alexander Fitton* Esq; deceased, great Uncle to him the said Sir *Edward*.

It is now time to proceed, and give the Reader an Account, what Sir *Edward Fitton* did afterwards; which was, that finding he had little hope of Children, and Resolv'd by no perswasion to alter his Settlement on his Cozen *Fitton*, whom he intirely loved, by Deed-Poll, dated 3 *April*, 18 *Car.* he made the Estate of his Cozen *Fitton*, and his Issue, in case himself dy'd without Issue of his Body, firm and unalterable; and this he did declare by the said Deed, to be for and in consideration of the natural Love and Affection he bore to his Cozen *Fitton*, and his Issue-male, and for the better and surer Settlement of his Estate in his Name and Blood, as for many Discents it had formerly continued. By which Deed, he did throughly frustrate the importunity of his Sisters, who by themselves and others incessantly sollicited Sir *Edward* to settle his Estate on them and their Children; which he was so averse from doing, that he often protested, That had he no Kinsman of his Name alive, he would leave it to a Bastard of his Name, rather then to his Sisters, or any of their Children; as Sir *John Trevor*, his Brother-in-Law, to whom he spoke it, has already, and can still testify.

These afore-named Conveyances, after Sir *Edward Fitton* had executed, he delivered them to his Neighbour and Kinsman Mr. *Davenport* of *Davenport*, to be kept as the *Evidences* of his *Estate*, for the Use of his Cozen *Fitton*, in case he dyed without Issue, wherein more shall be said hereafter in due place.

And now Sir *Edward Fitton* began amongst his Neighbours and Tenants to declare, who should be his Heir, and would oftentimes bid his Tenants take Notice, That when he dyed, there was their Landlord, pointing

to Mr. *Fitton*; and would be very free in this matter amongst them, and tell them, if he dyed without Children, they should not want a *Fitton* to be their Landlord. And once he made a special Protestation, When one of the standers by wished him to settle his *Estate* on his Nephew, the Lord *Brereton*, whom Sir *Edward* much loved and honoured; if, said he, there were no *Fitton* in *England* or *Ireland*, I would rather settle my *Estate* on *Ned Fitton*, the Bonny-Beggar, rather then on my Sisters, or any of their Children. This *Ned Fitton* was a poor man that kept idle Vagrants from Sir *Edward*'s Gates; with which kind of expressions, he did abundently satisfy the Country, that it was his absolute Resolution, That his Cozen *Fitton* should inherit his *Estate* after his Decease.

Shortly after this time, the late unhappy Rebellion breaking forth, Sir *Edward Fitton*, in his Duty and Allegiance to his late Majesty, rais'd a compleat Reigment of Foot for his Majesties Service, and at *York* received his Commission to be a Colonel, whose loyal behaviour in the War was observed by all such as knew him, to be very eminent.

But to come to that which concerns this present story, he could not be quiet when he was abroad, in that his first Resolution; nor free from importunity; for the Lord *Gerard* being likewise engaged in his Majesties Service, began to be active for himself, and importun'd divers to move Sir *Edward Fitton* to settle his *Estate* upon him, being one of his Sisters Sons. But this Sir *Edward* alwayes refused to do, or so much as hear of it, earnestly protesting, he had so great a Respect for the Heir-male of his Family, that he would do him no injury,

ry, affirming, he was sory he could not leave to his Name the *Estate* in so good condition as it was left him by his Ancestors.

But there are two Passages concerning his refusal to settle his *Estate* on the Lord *Gerard*, which are very Remarkable, and hapned not long before his death. The first is, That being importun'd at *Oxford*, about four months before his Death, by *John Earl Rivers*, his great Friend and Alley, to settle his Estate on the Lord *Gerard*, whom they then called *Charles Gerard*, and the said *Earl* professing, that it was the Kings desire, he did notwithstanding positively refuse to do it, affirming, he had already settled his *Estate* on a Kinsman of his own Name, and that he neither would nor could alter it, and reiterated this Answer again upon his Death-Bed at *Bristol*, upon further importunity used to him by the said *Earl Rivers*. The second is, That one Mr. *Ratcliff Gerard*, Uncle to the Lord *Gerard*, did prevail with Mr. *John Davenport* of *Rode* in *Cheshire*, a person that Sir *Edward Fitton* had a special kindness for, and was one of the Captains in his Regiment, to move Sir *Edward* then lying on his Death-bed, to settle his *Estate* on his Nephew *Gerard*. He moved him with all earnestness, but Sir *Edward Fitton*, though very weak, lying then sick of a Consumption, with some anger, violenly turn'd himself in his Bed, and passionately said to Captain *Davenport*, Well *Jack*, I smell a Rat (alluding to *Ratcliff Gerard*), they that put thee on this, shall never be the better for troubling me, I have already settled my *Estate*, and thou knowest on whom; I neither will nor can alter it. After this Mr. *Davenport* professed to divers persons, That he did never importune him

more, knowing he had already ſettled his Eſtate on his Cozen *Fitton*. Theſe foregoing Paſſages have been already ſufficiently proved by perſons of undoubted Credit, formerly produced on Mr. *Fitton*'s behalf, in his Conteſt with the Lord *Gerard*.

Within few dayes after this, Sir *Edward Fitton* departed this life at *Briſtol*, which happened in *Auguſt*, 1643. The news of his death coming to Mr. *William Fitton* at *Ludlow*, ſtopped him from his intended Journey to *Briſtol*, whither he was coming immediately after his Arrival out of *Ireland* to ſee Sir *Edward*. After his Deceaſe, his Siſters entred into part of his Eſtate, to wit, *Aldford* and *Gawſworth* Park; his Lady enjoyed *Gawſworth* Mannor for her Joynture, and two other Lordſhips, *Boſly* and *Seydington* were by Sir *Edward* Morgaged for 1500 l. (which afterwards encreaſed to much more); to one Mrs. *King*, who immediately after his death, poſſeſſed her ſelf of them. And thus all the whole Eſtate was amongſt theſe perſons divided. Mr. *William Fitton* therefore commenced divers Suits againſt the Co-heirs, and upon three ſeveral Verdicts and Judgments at Law, evicted them out of that part of the Eſtate they had poſſeſſed themſelves, and afterwards upon the deceaſe of the Lady *Fitton*, enjoyed *Gawſworth*. After this Mr. *Alexander Fitton* marrying the Daughter of *Thomas Jelly* of *Caſton*, in the County of *Worceſter*, Eſq; the ſaid Morgage-money was paid, and ſo all the Eſtate of Sir *Edward Fitton* was in the poſſeſſion of Mr. *William Fitton*, and his ſon *Alexander*, which was for divers years by them enjoyed upon the Title aforeſaid. Perhaps the Reader may expect an Account what Title the ſaid Co-heirs pretended, before Mr. *Fitton* evicted them,

them; but in this the Reader ſhall at full be ſatisfied, when the Deed-Poll is ſpoken of, againſt the validity of which Deed, the preſent Conteſters make the Proceedings betwixt Mr. *Fitton* and the Co-heirs an Argument. And therefore the ſaid Proceedings ſhall truly be related, when the ſaid Deed comes to be treated and defended.

Mr. *Fitton* therefore enjoying the ſaid eſtate, the Lord *Gerard*, a compleat year after his Majeſties happy Reſtauration, commences Suit againſt Mr. *William Fitton*, and his ſon. But before we give the Reader any further account hereof, it will be requiſite to ſay ſomething of what hapned betwixt the ſaid Lord *Gerard*, and Mr. *Fitton*, before the beginning of the Suit, which is impartially here ſet down as followeth:

Mr. *Alexander Fitton*, after the ſaid Lord *Gerard* came over, gave his Lordſhip a viſit at his Lodging in *Chancon-Row* near the Court, where the Lord *Gerard* very civilly received him. Then, after ſome Complements paſſed betwixt them, the Lord *Gerard* askt Mr. *Fitton*, Whether he had not much trouble about his eſtate? To whom Mr. *Fitton* anſwered, That he had had ſome, by reaſon of many ſuits betwixt Sir *Edward Fitton*'s ſiſters, and himſelf; but that he hoped they were now at an end. His Lordſhip afterwards asked, Whether he thought no other would diſturb him; To whom Mr. *Fitton* replyed, He knew no colour any one had ſo to do; but that he had heard ſome Reports, that his Lordſhip intended to lay claim; which if he did, Mr. *Fitton* then offered to go with him to Council, indifferently to be choſen on both ſides, and if upon view and conſideration of both Parties Title, Council

ſhould

ſhould affirm that his Lordſhip had any Title, Mr. *Fitton* then offered, without any Suit or Trouble, to quit the Poſſeſſion, and deliver up all to the Lord *Gerard*. This Motion his Lordſhip ſeem'd to approve of; but withall ſaid, he had not been yet with his Council, and ſo could ſay nothing to that Offer: But courteouſly taking leave of Mr. *Fitton*, ſaid, he hoped they ſhould both cloſe on terms of friendſhip. He had not yet ſo matur'd and ordered his Affairs it ſeems, that he could have in readineſs what yet to ſpeak. After which time there never paſſed any ſerious and civil Communication betwixt his Lordſhip, and Mr. *Fitton*.

But after his Lordſhip had gotten to his purpoſe two Serviteurs, *Dobſon* and *Carre*, he began ſtill more and more to maligne and diſturb Mr. *Fitton* in his Eſtate, till at laſt he reſolved upon a courſe more eaſie to diſquiet him; which was by ſending into the Country a Printed Paper in manner of a Proclamation, with the Kings Arms in the front thereof, and *Jo. Brown Cleric. Parliamentorum*, was ſubſcribed, and pretended to be printed by the King's Printers; The Contents of which Paper was, That whereas there had been an Order read in *Gawſworth* Church, that Mr. *Fitton* ſhould be ſettled in the enjoyment of Sir *Edward Fitton*'s Eſtate, by order of his Majeſty, the Houſe of Lords, with the Lord *Gerard*'s Conſent; That was therefore to ſatisfie all perſons, That the Clerk of the Parliament had ſearched the Records of the *Houſe*, and found no ſuch Order; and therefore did certifie all men, that the ſame was falſe and fictitious: neither was it contained in the Order, that the Tenants ſhould pay Mr. *Fitton* Rent, or that my

my Lord *Gerard* ſhould be hindred from ſuing for the ſaid Eſtate.

This was proclaimed with three *O Yes*, at the high Croſſes of divers Market Towns in *Cheſhire*, in the preſence of the Magiſtrates, who were made to believe that it was done by his Majeſties Command. This amazed all the Country, becauſe they knew it to be falſe. For Mr. *Fitton* never pretended any ſuch Order, or caus'd any thing to be read to that purpoſe in *Gawſworth* Church: Neither would any man that had underſtood any thing, have done it, becauſe no wickedneſſe would ſooner have been diſcovered, then forging an Order of Parliament. Mr. *Fitton* therefore immediately repairs to *London*, and goes to Mr. *Brown*, accompanied with two other Gentlemen, Barriſters at Law, and ſhews Mr. *Brown* the Printed Paper: who laughing, when he ſaw it, ſaid he knew nothing of it, nor never ſign'd any ſuch Paper, and that he was above fourſcore miles of in *Northamptonſhire*, at the time it bore date. Mr. *Fitton* deſired a Certificate from him of his renouncing his knowledge of it, which Mr. *Brown* promiſed to give him the next day. Mr. *Fitton* and his Friends coming again the next day found him not; but met with one *Throgmorton*, Clerk to Mr. *Brown*, who own'd himſelf, that he had ſet Mr. *Brown's* hand to the order. They therefore deſiring to know upon what information he did it, he willed them to follow him into the Lords Houſe, and there he would give them a full account thereof. There when they came, they could have nothing but dilatory, and trifling talk, from Mr. *Throgmorton*, which ſo little ſatisfied the Gentlemen, that they rather choſe to be gone, and to comply with their own

occasions (it being Terme time) then to be trifled any longer. So Mr. *Throgmorton* having taken a note of their names, they left him and went into *Westminster-Hall*. Mr. *Fitton* at his entrance into the new Palace yard, met the Lord *Gerard*, who seeing Mr. *Fitton* made to him with an affected clearness, and bigly demanded of him, if he the said Mr. *Fitton* should dare to say, that my Lord *Gerard* had forged Acts of Parliament; which Mr. *Fitton* denying; with a high look and gesture he charged Mr. *Fitton*, to have a care what he said of his Lordship, or else he would teach him better manners. And so he and his armed Lacquays wheeled about, having sufficiently huff't poor *Fitton* who was alone, and without means to defend himself against any affront, that this terrible Lord might have put upon him.

As soon as Mr. *Fittons* Friends who had bin with him at the House of Lords, came home, an acquaintance of one of them came afterwards to him, and told him, that he came to tell him what a danger Mr. *Fitton* and they both had escaped that morning, assuring them it was the Lord *Gerards* Resolution, that if they had stay'd at the House of Lords untill he came, he would have moved for their commitment to the black Rod. He moreover added, that the Lord *Gerard* swore to him, he had three Witnesses, that would prove the matter charged in the printed paper against *Alexander Fitton*, and that unless they would do it, he would cut off their noses. Mr. *Fitton* not much affrighted with these threats, and swelling puffs of the Lord *Gerard*, used to deter him from manifesting his foul practices, went on notwithstanding in his business, and procured a Certificate from the Kings Printers, containing a denyal of their concurrance

to

to the printing of that paper, or giving any order to any other persons to do it. This discovery made Mr. *Fitton* fear, he should have little fair play from my Lord, when he once began suit.

Mr. Fitton returning into *Cheshire*, Indicted the person that proclaimed the said paper, who was by the Jury found guilty for proclaiming against Law, a false scandalous, and counterfeit Certificate. And thus this matter ended without any further Examination of his Lordships.

After this nothing of moment occurred, untill the beginning of the suit; save onely some disturbances his Lordship made on Sundayes, by sending persons to read papers in *Gawsworth* Church, and forbidding the Tenants to pay *Mr. Fitton* any Rent, and some other passages of the like nature.

It is now time to speak what happened upon Commencement of the Lord *Gerards* Suit, which was by Bill in *Chancery*, wherein he now sets forth this Title, that Sir *Edward Fitton* had setled his *Estate* on him by Deed, dated 10. *Car.* yet with a power of revocation, and that afterwards he made some Deeds to the *Fittons*, onely for show to the prevailing powers, to reserve the *Estate* for the Lord *Gerard*, if he should out-live the Warre, in which he reserved a power of Revocation likewise, and there in pursuance thereof, Sir *Edward Fitton* did upon his death-bed at *Bristoll*, by Will, make his Lordship Heir of all his *Estate*, which Bill *Mr. Fitton* and his Son immediately answering, confessed the settlement in 10 *Car.* but said, that Sir *Edward* never meant it should continue, having made it meerly to satisfie his Mothers importunity, and with purpose quickly to re-

voke

voke it, which accordingly he did, They further affirm'd, That Sir *Edward Fitton* could not make the Will pretended by the Lord *Gerard* for two Reasons.

The first was, Because they could prove Sir *Edward Fitton*'s constant affections to them, and resolution to leave them his Estate, and no less his disaffection towards the Lord *Gerard* to any such purpose.

The 2*d* Reason was, That by the Deed Poll already set forth, bearing date 3. *April*, 18 *Car.* the said Sir *Edward Fitton* debarred himself to settle (in case he had no Issue) his Estate by Will upon any others. And so admitting that such a Will had been made, it had not bin any way material in the case.

Here the Reader is desired to observe, that from the time of Sir *Edward Fitton*'s death unto the Lord *Gerards* exhibiting this Bill in Chancery, there passed above nineteen years in all, which time this Will was never heard of, nor alledged by the Lord *Gerard*, nor any other person to be made by Sir *Edward Fitton*, in his behalf. And it is a wonder, if it were true, it could not come into his thoughts till then.

After some considerable time, the Plaintiff and Defendant took out a Commission to examine Witnesses in *Cheshire*, which was accordingly executed at *Congleton* and *Chester*. And there Mr. *Alexander Fitton* by Witnesses of sound Credit, Mr. *Richard Davenport*, Mr. *Edmund Barwick*, and Mr. *Thomas Smallwood* did prove the said Deed made to Mr. *Fitton*, to be duly executed by Sir *Edward Fitton*. This very much daunted Mr. *Dobson*, the Lord *Gerard*'s Solicitor, who very confidently for many moneths time Reported, That he had bin with these Witnesses, and that they had denyed to

him,

him, that they know any thing of this Deed, and that they would never ſwear the execution of it. Yet theſe his falſhoods, notwithſtanding this Deed was proved to the great ſatisfaction of the Country; which made *Dobſon* poſt with his Commiſſion and Depoſitions to *London*, to Conſult with *Prieſtman* and *Carre*, perſons likewiſe engaged in the Lord *Gerard*'s Service.

Theſe were now to conſider what is to be done for their Lord and themſelves, whoſe Intereſt muſt ſtand and fall together. They cloſe therefore at laſt in a deſign ſo wicked, as the like, by foregoing eyes can hardly be paralell'd: And it was this, knowing now the Deed, which they perſwaded others would never ſignifie any thing, was now as fully proved as the Law required, and that unleſs they could yet invent ſome way cloſely to invalidate it, their hopes of raiſing themſelves by the Lord *Gerard*'s means muſt fall, having therefore intimacy with ſome Knights of the Poſt about *London*, they wiſely pitch upon one Mr. *Abraham Granger*, a perſon that by this time moſt men have heard of, to be far fam'd for his Art, in counterfeiting mens hands to that nearneſs, that any perſon would take his counterfeit to be his own hand Writing. This man being then Priſoner in the *Gatehouſe*, was often viſited by theſe Gentlemen, who at laſt upon various practices uſed upon him (as he himſelf in his Narrative here inſerted relates), yielded to own that he forged Sir *Edward Fitton*'s Hand, and all the Witneſſes Hands to that Deed of Mr. *Fitton*'s. Thus Mr. *Dobſon* being ſufficiently Guarded with this Champions Teſtimony, ſends down Letters into *Cheſhire*, aſſuring all, that he knew that *Fitton*'s Deed was forged, and that he had found out the perſon

that did it, who had confeſſed, *M. Fitton* had given him 40 *l.* for his pains; which Rumour coming to *M. Fittons* Ear, he ſpeedily repair'd to *London*, to diſcover this horrid and moſt wicked Deſign; And found, that *Dolſon* had ordered the matter; that *Granger* was ſo cloſe a Priſoner in the Gate-houſe, that none were by the Gaoler admitted to come near him, but himſelf, *Prieſtman* and *Carre*. And that all hopes of diſcovering any thing upon *Granger's* Examination, was quite fruſtrate by this ſubtile Practice.

Notwithſtanding all this, *M. Fitton* did not fear the good ſucceſs of his Cauſe; for that beſides the Proof of his Deed by Witneſſes of good Credit, whom he did not queſtion but a Jury would believe, before any Oath that a Perſon of *Granger*, or *Dolſon*, or *Carr's* repute could make to the contrary. He likewiſe could by ſeveral Witneſſes of ſound Credit, prove his Deed to be ſeen and peruſed ſeveral years before *Granger* pretended to forge it; which *M. Fitton* did not doubt but would ſecure him againſt the Oath of any naughty Perſon whatſoever.

After this, *Granger* is in his cloſe Confinement practiſed upon, and at length depoſes what Mr. *Dolſon* inſtructs him. And two more, *Peter Gifford*, famouſly known, and *John Wheeler*, *Grangers* ſervant, are taught to teſtifie, that they had ſeen Mr. *Fitton* and *Granger* together, about the time that *Granger* muſt pretend to forge the Deed; and that *Granger* told them the reaſon, why Mr. *Fitton* ſo much accompanied him was, becauſe he was to make a Writing for him, with many ſuch like Circumſtances, which *M. Dolſon* had ſtudiouſly infus'd into theſe Perſons, and induſtriouſly train'd them

them up in, for a more perfect consent in their Villany.

The Lord *Gerard* being thus arm'd, encounters *Mr. Fitton* in *Chancery*; yet was not able there to vanquish him with these forces. For that High-Court was pleas'd to direct a Tryal at Law, to be had the ensuing *Michaelmas*-Term at *Westminster*, upon this speciall Issue, Whether the said Deed-Poll were the true Act and Deed of Sir *Edward Fitton*, or no.

The Lord *Gerard* therefore some time before the Term, makes choice of the *Kings-Bench* for his Tryall, having all the time of the long Vacation grievously vext *Mr. Fitton*, and his Tenants, with Distresses, and all kind of oppressive usage.

The Tryal accordingly coming on, *Mr. Fitton* proves his Deed by *Mr. Richard Davenport*, and *Mr. Edmund Barwick*, and had the Deposition of *Mr. Thomas Smallwood* read, who dyed about a fortnight before the Tryall. And produced *Mr. Thomas Edge*, a Minister that had been with him on his Death-bed, who deposed, that *Mr. Smalwood* affirm'd to him a little before his death, that if it were the last action he were to do in this World, he would Evidence the due Execution of that Deed by Sir *Edward Fitton*, with many Asseverations to that purpose. These three Persons were men without blemish, who in all time had lived with good repute in *Cheshire*.

And now *Dolsons* Game comes to be play'd to the full height, wherein he shews himself the Master of his Art, and second to none in the gainful Science of Subornation. For he did not onely produce *Granger*, who to admiration professed himself the Forger of *Mr. Fit-*

tons

tons Deed; but to back him, (and make amends for the fewneſs of the Witneſſes that ſided with him in *Chancery*, which were onely two, *Gifford* and *Wheeler*) he led up a Regiment of Witneſſes, being no fewer in number then 9, or 10. who all ſwear the acquaintance of *Mr. Fitton* with *Granger*, and many of them, that they had heard *M. Fitton* confeſs, that *Granger* had forg'd a Deed for him, for which he had paid him 40 *l.* Theſe Witneſſes *Dobſon* had ordered to be brought in, under ſeveral qualities, ſome of Souldiers and Commanders, ſome of Citizens and Tradeſmen, and others of Sollicitors, and men converſant in Law Affairs. The Names of theſe worthy men are as followeth, *viz.*

Col. *Ralph Aſhton*,	Capt. *Holland Simpſon*,
Squire *Webb*,	Squire *Gifford* in *Chancery*.
Thomas Adams,	*John Wheeler*,
Thomas Cotton,	And *John Averey*.

The Commanders were not without their Buff-Coats, and Gilt Swords, and the reſt accoutred to the degree of the Perſons they were to repreſent. And theſe men artificially acted the ſeveral Parts which *Dobſon* had before compoſed for them, being obſerved by divers to have written Papers in their hands; wherein, as is ſince diſcovered, *Dobſon* had writ down their Leſſons.

For that now *M. Fitton*'s Council perceived, that the Evidence of theſe Rake-hells muſt be annulled:

Firſt, by proving that this Deed was ſeen and peruſed before *Granger* pretended to forge it.

Secondly,

Secondly, By proving that *Mr. Fitton* alwayes had been a Perſon of good fame, life, and converſation, and one that had lived with the eſteem of an honeſt man.

As to the firſt, three ſound Witneſſes were produced on *M. Fitton's* behalf, who poſitively proved the ſight and peruſal of the Deed, ſeveral years before the pretended Forgery.

As to the ſecond, many worthy Gentlemen that were Barriſters at Law, and then ſtood at the Bar of the Court, did voluntarily offer themſelves as Witneſſes of *M. Fitton's* Integrity, and depoſed, that they had had an eſpecial acquaintance with him for many years, who had likewiſe been bred amongſt them in the *Inner-Temple*, and was a Barriſter at Law, and that they had obſerved him to be a perſon of good Converſation, cloſely following his Studies, very choice of his Company (which were the beſt Students of the Houſe) and always noted him to be a Perſon of a clear repute, not in the leaſt lyable, for any thing they had ſeen or heard of him, to any blemiſh whatſoever.

But a *Middleſex* Jury were plyed ſo cloſe by the other induſtrious Party, as, *the Children of Darkneſs are wiſer then the Sons of Light*, that giving credit to *Granger* and *Dolſon's* Gang, they found a Verdict againſt *M. Fitton*, that his Deed was forged.

Before we further proceed, it will be fit to take out of our way ſome petty Objections, that are much urg'd by the Lord *Gerard's* Party, againſt this Deed, which they affirm are ſufficient to invalidate it, if *Grangers* Teſtimony were laid aſide. One Objection they make, is, That *M. Fitton* cannot prove where he had this Deed.

To which it is answered, That at the Tryal it was proved, that Sir *Edward Fitton* delivered the settlements made to his Cosen *Fitton*, to Mr. *Davenport* of *Davenport*, who did not long out-live Sir *Edward*, but left the said Writings with his Wife: from whom *Mr. Fitton* received them, delivered up in discharge of the trust reposed by Sir *Edward Fitton* in her Husband. She likewise dyed many years before the Lord *Gerards* pretence was heard of: for that it is impossible for *M. Fitton* (unless it had been in his power to have kept *M. Davenport* and his Wife alive) after so many years to prove how he came by this Deed, or any other Deed he hath. For *M. Fitton* received some Deeds from persons that had bin of Sir *Edwards* Councils, now deceased: other Deeds he found in Sir *Edward Fittons* Study. These Writings *M. Fitton* cannot now prove in particular, which of so many Writings he had, how and which there being still heaped in together, as he could any where meet with them, and not having the persons now alive to help his memory, upon a new contest he never dreamed or thought of.

2. They raise a second Objection that *M. Fitton* cannot prove, who engrossed the Deed, *&c.* For thus, we may know; That *M. Thomas Gawdy*, a person of credit, and well known in *London*, who formerly had been Servant to Sir *Edward Fitton*, at the said Tryal, proved, that in the latter end of the year 1641. Sir *Edward Fitton* was at *London*, and there caused several Writings to be drawn, and engrossed concerning his Estate, wherein he was so private, that he would permit none to see, peruse, or know the Contents of them, no not *M. Gawdy* himself, though much esteemed, and entrusted by Sir

Edward

Edward Fitton. These Writings Sir *Edward* brought down with him into *Cheshire*, and executed them some in one place, some in another, with so much secresie, that the Witnesses themselves were not permitted to know any thing of the Contents of them. Therefore it is not so much to be wondred (considering Sir *Edwards* private proceedings) that *M. Fitton* after 20 years time, cannot prove who engrossed a Deed drawn at *London*, with that secresie that Sir *Edwards* Solicitor Mr. *Gawdy* intrusted in all his other concerns was, as he solemnly in Court deposed, not permitted to know any thing of it.

3. A third Objection, that this Deed was not produced at the former Tryals against Sir *Edward Fittons* Sisters, which if it had, those Co-heirs could have made no pretence against Mr. *Fitton*.

To answer this, it will be requisite to open the co-heirs pretended Title; which was this, Sir *Edw. Fitton* by Fine and Recovery, and Indenture dated 3 *April*, 10 *Car.* did Convey all the Lands in question to the use of himself for life, afterwards of part to the use of his Lady for her Joynture, and after both their deceases of all to the use of the L. *Wharton*, Sir *John Trevor*, and others, for 99 years, and after that estate ended, to the use of the first Son of the body of *Sir Edward* & his Lady, in Tail, with many other remainders for the like Estate, to all such sons, as *Sir Edward* should or might have by his present or any other Wife, and after reserved a power during his *Ladies* life, to revoke all or any of these uses with *Sir John Trevors* consent; and in case his Lady should die before him without Issue, he had then free liberty of revocation without any such consent.

After

After this Sir *Edward* in *June*, 10 *Car.* by Leaſe and Grant of the Reverſion with Attornment, makes a revocal Settlement upon the Lord *Gerard*, to ſatisfy for the preſent his Mothers Importunity, as hath bin already ſaid; and afterwards in 17 *Car.* he makes the Conveyance on his Cozen *Fitton*, with power of Revoca ion likewiſe, which was the only Conveyance Mr. *Fitton* made Title by in all his Tryals with the ſaid Co-heirs.

The only Queſtion upon this Caſe betwixt Mr. *Fitton* and the Co-heirs was, Whether Mr. *Fitton*'s Settlement made in 17 *Car.* did revoke the Leaſe for 99 years, to which Sir *Edward*'s Siſters as Heirs at Law did pretend Title.

It was no queſtion, nor ever thought on by Mr. *Fitton*, whether there ſaid Deed in 17 *Car.* was revoked by any Subſequence, Conveyance, or Will made by Sir *Edward Fitton*, as the Lord *Gerard* hath ſince pretended.

Therefore the producing of the Deed-Poll which diſcharg'd the power of Revocation in Mr. *Fitton*'s former Deed, could have availed nothing in the Suits with the Co-heirs, both becauſe they pretended no Revocation of Mr. *Fitton*'s Deed, therefore no Obligation lay on Mr. *Fitton* to ſolve an Objection that never was made againſt him. As alſo becauſe Mr. *Fitton* was in prudence to conceal any Deed, untill he had occaſion to make uſe of them. And in truth, if he had then manifeſted this Deed, he had not now bin troubled with any Will brought againſt him, but ſome other Deed that ſhould have invalidated the Deed-Poll. There wants not reaſon to believe Mr. *Dolſon* could procure ſufficient Witneſſes to effect even that alſo. Fourthly,

Fourthly, They Object, That the Deed was not produced at Mr. *Fitton*'s Marriage.

To which it is Answered, That Mr. *Fitton*'s Wife's Friends, upon the Treaty of his Marriage, look't upon his Estate as clearly and undoubted His, being in his quiet Possession upon three several Judgments at Law. Insomuch, that they did not require Mr. *Fitton* to shew them, or their Council, any Deed whatsoever; untill that after the Marriage; when the Joynture came to be drawn, Mr. *Fitton* voluntarily produced the Deed of 17 *Car.* (by which he had recovered the Estate) to instruct, Councel, how to draw a Joynture, and settle the said Estate according to Articles made before the said Marriage.

5. A fifth *Exception* is made, That the Witnesses could not remember where the said Deed was executed, which the Reader will find sufficiently answered by the Reasons they themselves gave upon their Examinations.

They said, they all were Witnesses to several Deeds and Writings made by Sir *Edward Fitton*, the Contents whereof he did at no time impart to them, so that they could not after 20 years time, since all the knowledge they had of the Deed was their attestation of the execution of it, charge their memories with the circumstance of place. And Witnesses forgetfulness in this Point is so frequent, that it is most men's case; for suppose in twenty years time a man hath attested two or three hundred several Writings signed by several persons at divers times and places, can it be expected, that after so many years elapsed the Circumstance of Time or Place, can be remembred. This is certainly so

much every Man's Concern, that the Solution of this Objection, need not to be further laboured; for if such Circumstances were Essential, few Old Deeds would receive Valid proof.

We shall now proceed, and give the Reader an account what hapned after the aforesaid Verdict; The Lord *Gerard*'s Emissaries go down into *Cheshire*, where the Noise they made of their Victory was no small one; for they could not abstain from shouting and bellowing as they rid in the Country. Nay, and so barbarous was their demeanour, that *Hollinshead* from a servant and Tenant of the house revolted now to the Lord *Gerard*, wholly bent himself to affront Mr. *Fittons* Wife, (in whose Marriage himself had been instrumental) and was so wickedly outragious, that with lewd persons his Companions passing by *Gawsworth* house in the night, they roared out in her hearing, *Down with Fitton, Down with Fitton: A Gerard, a Gerard.* And to compleat his Treachery to his old Master *Fitton*, caus'd a Key to be forg'd to the Wicket of the Gates, with which on the Sunday when people were at Church, he with a rabble of infamous persons got possession of the house, seized upon Mr. *Fittons* Corn without any Order, and other Goods to the value of 300 l. which *Hollinshed* and his Companions quickly spent in roaring, gaming, and drinking their Lords prosperity. And thus continued *Hollinshed* (who by that his ranting Carriage gain'd himself among the Common people the name of the Lord *Francis*, and his Brother, of the Lord *Raphael*) in his excesse of wasting M. *Fittons* Goods, untill at length in the beginning of last Spring, the Lord *Gerard* accompanied with a numerous Train, comes down to take pos-

session

ſeſſion of the Vineyard which his Fathers never poſſeſſed; of whoſe Carriage, *Cheſhire* Men have had ſome Experience.

And now muſt his nimble Agent *Dolſon* Conſult, what is to be done for their ſafety, how to poſſeſs the Countrey with awfull reſpect, and how to affright any perſon from owning Mr. *Fitton*, or his well-known Right. He therefore gets Proceſs out of the Crown-Office, which he ſerved on *William Folly* Eſq; Mr. *Fitton's* Wive's Grandfather, and on Mr. *Philip Richard*, Mr. *Richard Davenport*, and Mr. *Edmund Barwick*, commanding them to appear at a certain day in the *Kings-Bench*, to anſwer an Information of Perjury, and claps Mr. *Barwick* up in *Maulesfield* Priſon, being by the Lord *Gerard* diſpoſſeſſed of an Eſtate, that Sir *Edward Fitton* had granted to him for his life. They had likewiſe cauſed Mr. *Fitton* to be impriſoned in *London*, and removed him from the Fleet to the Kings-Bench; from the Kings-Bench back to the Fleet again; *Dolſon* ſtill enquiring whether *Fitton* ſeemed contented with the place of his Impriſonment; which if he found him to be, *Dolſons* diligence, and his Lords power, were ever ready to give *Fitton* the Remove.

Thus whil'ſt the Lord *Gerard* triumph'd at *Gamſworth*, and his Creatures were for his Intereſt, exerciſing theſe Tyrannies on Mr. *Fitton*, and his Witneſſes; it pleaſed God to ſtrike *Granger's* Conſcience with Remorſe for his horrid Perjury againſt Mr. *Fitton*; inſomuch, that hearing that a Citizen of *London* knew Mr. *Fitton*, *Granger* made earneſt Applications to the ſaid Citizen, to conduct him to Mr. *Fitton*; acknowledging with many tears, and lamentation, the great injury the

Lord

Lord *Gerard* had done him; and professing with deepest Execrations, that his Perjury committed against *Fitton*, was forced upon him. He did therefore often importune the said Citizen, to acquaint Mr. *Fitton*, that it was his desire to come to him, to confess his fault, and to beg Gods forgiveness, and his; and to make him what satisfaction he possibly could.

Mr. *Fitton* upon good advice, after many importunities used by *Granger*, consents to hear what *Granger* would say, before Witnesses, at his Kinsmans house in the *Strand*: And *Granger*, in *May* last, coming accordingly, did there, in the presence of the Citizen his friend, and Mr. *Fitton's* said Kinsman, beg Mr. *Fitton's* forgiveness; confessed, that he never saw Mr. *Fitton* before the day of his Tryal, when he was shewed him in *Westminster-Hall*, by a person appointed for the purpose; that he was forc't to forswear himself, meerly to save his life, being threatned to be hang'd, and have his hands cut off, unless he complyed with the Lord *Gerard's* desires; that *Dobson*, *Carre*, *Priestman*, and one Serjeant *Rowe*, were the men that instructed him how to swear; of which he professed, he had so great a horrour, that ever since he had committed the Perjury, he fancyed the Devil had been each night his Bedfellow; and that although God Almighty should himself pronounce him forgiven, yet unless Mr. *Fitton* was restored to his estate, lost by his false Oath, he could not rest; he further said, he would write a true and exact Narrative of all the Design and Force upon him, for Mr. *Fittons*, and the Worlds satisfaction; and that he would print and publish it in *English*, *French*, and *Dutch*. And accordingly he did write it in *English* all with his own hand

hand, and read it afterwards before 12 or 13 Gentlemen. Many times in the reading thereof, out of sorrow for so foul a fact, he there bitterly wept, and lamented his own frailty, which by force had yielded to commit so horrid and impious a sinne, as those Gentlemen can witness. And with as much sorrow as was imaginable, after he had read it, he signed and sealed it before them all: The full Contents of the Paper, for the Worlds satisfaction, are as follow, word for word, as he set them down with his own Hand and Pen.

A Narrative of the horrid, and detestable design of the L. G. against Abraham Gowry Granger, *in Compelling him to swear against Mr.* Alexander Fitton.

THat in *March*, 1661. I was coming into Town on horseback at *Grayes-Inne*-Lane end, where I was violently pluck'd off from my horse by a heap of Rogues and Thief-Catchers, three of them my Lord *Gerard's* Witnesses, (*Peter Gifford, Holland Simpson, John Avery,*) and was by force of this rabble of Rogues hurried out of the Liberty of *Middlesex*, and carried into the Liberty of *Westminster* before Sir *Allen Apsly*, who was sufficiently prepared before-hand for my Commitment; for without any Oath of any fact or examination, he sends me away prisoner to the *Gate-House*, alledging in his Warrant most falsly, That I had defrauded his Majesties Treasuries of vast sums of money; when all the World could not accuse me of one penny that ever I injured his Majesties Treasuries, or any of his Subjects. I being thus taken by those Rogues, they pick or take by force 30 pieces of gold out of my pocket, and 9 yards

of gold Bone Lace of 45 s. a yard, saying, *If ever I spoke a word of it, they would swear enough to hang me*: saying, *They had one of the biggest in the Court would justifie them in whatsoever they did against me, and that I should find so ere long.* Now that it may appear from the beginning to the end, I was dealt withall by force, not by Law, observe, that I ought (being taken not in the Liberty of *Westminster*, but in the Liberty of *Middlesex*, to have been carried before a *Middlesex* Justice, and not forced before *Apsly* a Justice in *Westminster* Liberty. Again, these Rogues had no Warrant, nor any Constable nor Officer to justifie their apprehension. Now whether this violence were any part of the Design of my Lord *Gerard*'s, I know not, but shall humbly leave it before the Face of Justice, to be judged by the Consequence following.

Thus I being sent, and hudled into the *Gate-house* instead of *Newgate*, (for that was the Prison belonging to the Jurisdiction of the Place wherein I was taken) though not so fit for the purpose I was to be moduled into as the *Gatehouse* was); there came a Letter instead of a Warrant to the Keeper of the *Gatehouse*, to keep me a close Prisoner, and suffer me to see no Body, Signed by Sir *Allen Apsly*: at Night I was by Serjeant *Row*, and one *Lawrence Tomson*, a Souldier, two under Keepers cram'd into a doghole-Chamber without Candle, Fire, or Sheets, or Drink, it being cold; and all that I could get from these Under-Gaolers, or Gaoler-Souldiers, was, Come, Sir, we have Order to handle you; I asked them from whom, they told me, From a Lord I little thought of: I asked them, what they meant by this word handling? They said, To hang me, as I should

ſheuld find ſtorrſy, there being but one way to eſcape it. I ask'd this Serjeant *Row*, which way that was, he anſwered, I ſhould know ſuddenly: I ask'd him, who this Lord was, he told me, That vvas Counſel: Well, on the morrovv, it ſeems, and true enough it vvas, that my Lord *Gerard* had been vvith the King, and telling his Majeſty vvhat a dangerous man vvas taker, and that had done his Majeſties Treaſuries much injury, there vvas a Warrann ſent from Sir *Edward Nicholas* to keep me cloſe Priſoner. My Lord *Gerard* then, both by himſelf and his Emiſſaries, as is vvell enough knovvn, made it his buſineſs to the King's Ear, and to all the vvhole Court, to Calluminate me, and telling vvhat a Roge vvas taken (for that vvas the beſt Name he could give me), vvhereby my Lord *Gerard* made ſure vvork to have me firm enough in Priſon, till I had comply'ed vvith his ovvn deſign againſt Mr. *Fitton*, as the Conſequence vvill manifeſt, though then I underſtood it not. Now I ſhould not have thought this any deſign, had not I ſeen, or eſpecially aftervvards underſtood, that all the Priſoners elſe (though committed vvith all the ſtrictneſs that might be, both for Treaſonable Deſigns againſt his Majeſties Government, and Attempts againſt his Perſon, far greater Facts then mine, had mine been true), yet, I ſay, all theſe vvere uſed civilly, and had decent Chambers, Beds, Sheets, Candles, and every thing preſently allovved them, vvith the addition of Gentlemen, *Do you want any thing before you are lock'd up*, and the Copy of their Order allovven them; but I denyed all this: this made me believe there vvas ſomething extraordinary in it, vvhich afterwards began thus to appear.

Serjeant

Serjeant *Rowe*, Under-Turnkey, comes one night about eleven of the clock, about a week after I had been in, and unlocking me, told me down-right, that my Lord *Gerard* had sent him to me to ask, whether I had not counterfeited a Deed for one Mr. *Alexander Fitton*? I told him in brief, No, that I had never heard of this *Fitton*, or had I scarce known my Lord *Gerard*, *&c.* well, he prest it much, and in fine, upon my denial told me, by God, I must confess it, or I was a dead man, and that I saw well enough that I was under his power, and therefore advised me to confesse it; thus he came up two Nights more, and brought a Note with him of the Deed, but took it away with him again, and with base threats, as before, that if I would not swear I made it, he averred by all the Oaths he could find out, that I was but a dead man to his knowledge; For, sayes he, to my knowledge, my Lord has prepared them that will do your business, and therefore you are best confess, and say you made the Deed, or else you are gone, my life for yours; but if you will, sayes he, swear you made that Deed, by God, my Lord will set you free within these four dayes, and Reward you with a 100 l. a year, during life. Well, *I* still (*I* thank God) refused, then were sent several words to me, written by some Lawyer of *Interrogatories*, and *I* had Pen and *Ink* brought to give answer to them, which *I* did, but all denials as to their purpose; within few dayes, one *Dobson* was sent into the Prison to me, whom Serjant *Row* let up to me, *I* being kept close Prisoner, with three double Doors locked and bolted on my Chamber-entrance, and *Row* told me, *It* was my Lord *Gerard*'s Secretary.

Dobson

Dobſon after ſome time began his part, and told me the danger, if I ſtood out againſt my Lords deſire, that I was ſure to dye, and that if I did comply with a thing ſo eaſie, that my Lord would not onely preſently ſet me at liberty, but reward me with what I would in reaſon ask, or a 100 *l.* a year during my life. Withall he told me the whole ſcope of the Deed. I told him, I would conſider of it, and bid him come within two days again; and then he came, and brought one *Carre* with him. When they came, I told them their Anſwer, I knew nothing of the Deed. But, *in fine*, *Carre* and *Dobſon* did ſet out ſuch a certain ruine before me, and told me how my Lord had ſix men in readineſs, that would all ſwear againſt me down-right Treaſon, to take away my life, and named *Gifford*, *Simpſon*, and *Averey*, three Thief-Catchers, vvhom indeed I knew would ſwear, to hang their Fathers for 20 *s.* a piece, if any thing ſhould be put into their mouthes: and that the King had granted Order to my Lord *Gerard* to proceed againſt me; and in the interim, I ſhould not be ſuffered to ſee any body alive, till I was brought to a Tryal. I began to conder, and ſee the truth of force upon me, and the grandure of the Deſign againſt me, knowing that this *Gifford* and *Simpſon* had hanged by their Oaths 2 honeſt perſons before in the *Long-Parliaments* dayes; and *Simpſon* had, in a manner, dipt his hands in the old Kings blood, carrying a Holbard at his Death, and being moſt buſie about and upon the Scaffold; and ſo he did at my Lord *Capel's* death, and was then afterwards liſted Informer and Penſioner to *Bradſhaw*.

These persons, I say, that were so wicked, and had not spared their Prince, would not spare me, I thought; and indeed mingled with such Threats, and being kept up close under three Double-Doors before my Chamber, and none to take Counsel of, but a horrour before me, I did begin to think of yielding, and told them, they should ere long hear by Sergeant *Rowe*. So they parting, questionless both told my Lord, and instructed *Rowe*: for *Rowe*, whose look betrays him a murderous Villain, came up every night almost when I was in Bed, and now and then with Threats, and now and then great Promises. I was so terrified, that I began to see I must comply to save my own life: For here I vow it before Almighty God, not a Night all this while, but I expected it to be my last, and thought I should have been murdered: For I considered, these were no legall Keepers, but all Souldiers every man that belong to the Prison in Pay, in Sir *Edward Broughton's* Company, even to the Tapster; and therefore immediately under my Lord *Gerard's* Beck, all gaping who could please him best.

Thus did Fear, and my own Imbecility, prevail upon me; and at last I told this Sergeant *Rowe*, the Hell-hound Master of all the Under-Gaolers, that I did know something of the business. *Rowe*, I believe, overcome with Joy, bragg'd what Promises my Lord had made him, could he work me to this; tells my Lord, or *Dobson*, or *Carre*, or all of them without doubt. And within 2 dayes after my Lord *Gerard* came himself, with Sir *George Cartwright*; my Lord taking no notice of anything had pass'd, or that he was my Lord *Gerard* at first.

But

But Sir *George*, and indeed I muſt ſpeak it with much modeſty, asked ſome queſtions about Mr. *Fitton*, and my Lord *Gerard*, and a Deed that was in one *Mr. Fittons* hands; but did not at all preſs me. But I knowing my Lord *Gerard*, my Lord began then to ſpeak merry far off, That he had heard of me that I was in priſon, and that there was a Deed forged for one *Mr. Fitton*, about an Eſtate called *Goſworth* in *Cheſhire*, of Sir *Edward Fittons* deceaſed, but given to himſelf, and ſo he came along with Sir *George Cartwright* only to ask me, Whether I knew any thing of it or no (knowing how his Emiſſaries had prepared me before) ſo I began to tell him ſomething in order to it, confeſſing I had ſigned a Deed for a Gentleman about ſuch an Eſtate, but did not know his name was *Fitton*; and that I had once ſince met him in the Old Palace by chance, or to this purpoſe: But this coming not near enough his Lordſhips purpoſe, he began to puffe, and in much choler to complain I had undone him, and that unleſſe I would tell him the whole buſineſs, and ſwear to it too, I muſt expect that he would take ſuch a Courſe as ſhould make me. Thus he went away much diſpleaſed and unſatisfied, he believing his Creatures had prepared me more perfectly. And the next day *Dobſon* came again, and he ſet forth my Lord's fury at large, and told me, I had but 2 dayes to do it in, or ſhould immediately be ſent to the Dungeon in the Tower, and from thence to a Tryal, and Execution, all my Lord's Witneſſes againſt me being in a readineſs. And after many things of this nature, he found that I was not in any mood of punctualneſſe, he plainly tells me, he would draw up a form

to me, and according to that I muſt ſwear. So in two days he brought me a form, much and almoſt *verbatim* with what I deposed. This he reads over and over to me, that I might be perfect in it, but would not leave it with me, and tells me, that he had provided Witneſſes enough to ſecond me. My Lord after this came once or twice, and was then pretty well ſatisfied. And before his hearing in *Chancery*, a Maſter of *Chancery* was brought unto me, whoſe name I have forgot, and one Mr. *Norton* an Examiner (I think). Along time before them both, and *Dobſon* who brought them, I refuſed to take my oath, complaining, That here I was kept a cloſe Priſoner, and had ſeen no body a long time, nor did not know whether ever I ſhould ſee any body again, and conſequently I had no Councel, and that I was much unſatisfied in this manner of uſage and force upon me, telling them, My Oath ſurely could not ſignifie much in this manner of reſtraint, as the Maſter of *Chancery* who ere it was, and Mr. *Norton* can tell; inſomuch, as I abſolutely refuſed it, and the Maſter of *Chancery* was going away again. Mr. *Dobſon* looking ſtrangely on me, ſaid, (not very loud) *Well, you'l ſee the ſmart of this within theſe two dayes.* I cannot tell whether the Maſter of *Chancery* or Mr. *Norton* heard it or no, (for the Room, being not my firſt little, hole was a ſpacious large Room, and Mr. *Dobſon* and I were by the Chimney, the Bed ſhadowing us, and the other perſons walking.

But this I ſay the Maſter of *Chancery* (being I conceive a Conſciencious Gentleman) and Mr. *Norton* alſo, did not urge one ſyllable to perſwade me to take my Oath. But juſt as they were going away, Mr. *Dob-*

ſon

ſon being highly diſcontent, as his Countenance (though not many words before thoſe two honeſt perſons for his purpoſe) declared it; I bid Mr. *Norton* read the Interrogatories, and I taking my Oath, made anſwer according to, or as near as I could, to Mr. *Dobſons* former Paper and form of Inſtructions: And as my Oath then ended *with ſo bleſs me God:* So I now from my very ſoul, with a contrite heart beg, *ſo pardon me God*, and let the ſinne return on the heads of thoſe Wretches, that forced my Weakneſſe to it.

And if ever this Paper ſhould come before the Face of Juſtice (as I hope it never will) my Deſign in it being onely to open my burthenſome mind to Mr. *Fitton*, and next to God, to beg his forgiveneſs: As I humbly implore their Charity, ſo I appeal to their Juſtice, on the Authors of this ruine, and betraying my ſoul.

Theſe laſt fore-going Circumſtances, concerning my unwillingneſs about taking my Oath, the honeſt Gentlemen whoever it was, the Maſter of *Chancery*, and Mr. *Norton*, queſtionleſs, both of them do yet remember: Being a cloſe peiſoner to take an Oath, is ſomething more then ordinarily remarkable.

But this I again ſay, that neither the Right Honourable Sir *George Cartwright*, who (as I take it) was twice with my Lord *Gerard* with me, or the Maſter of *Chancery*, or *Mr. Norton* before-mentioned, did ever ſpeak one word towards perſwading of me to any Confeſſion about this buſineſs, or taking of my Oath; nor indeed did much my Lord *Gerard* himſelf, onely his countenance the firſt time, and ſome few words declared to me, that his Thoughts might carry an intention of ſome other ſeverity towards me, which his Emiſſa-

ries interpreted at large to me. I mean that *Mr. Serjeant* Serjeant *Row*, *Dolſon*, and *Carre*.

I ſhall now go on; onely it is to be here remembred, that *Row* was now out of his Under-Turnkey and Keepership, and *Mr. Bayly*, a far honeſter man, put in his place; which *Mr. Bayly* never in his life urged the leaſt injury towards my Conſcience of this nature.

Now I ſay, after I had thus taken my Oath, *Dolſon* and *Carre* would both come to me, ſometimes one, ſometimes another, as *Mr. Bayley* can tell, ſoothing me up, and promiſing, that as ſoon as this Hearing in *Chancery* was over, my Lord would preſently ſet me at liberty; and *Carre*, in particular, told *Mr. Bayley*, that he himſelf, I think; or I am ſure my Lord would not onely diſcharge all my Chamber-Rent, and give me all my Charges, and an honourable Gratuity, but after reward *Mr. Bayley* with ſome Gift, and all that belonged to the houſe. *This I am ſure Mr.* Bayley *can remember.*

And then *Dolſon* and *Carre* brought to me one Mr. *Prieſtman* and *Carre* with him, told me, if I wanted any money, *Carre* ſhould ſend what I would, he keeping my Lords Treaſury; *I* told him, *I* wanted nothing, but if they pleaſed to pay Mr. *Baily* 10 l. or thereabouts, which *I* owed him for Chamber-Rent, and other things, they might, and it would do me a Curteſy, till *I* could ſend for money, or were an open Priſoner, and had Friends come to me, (for yet *I* was a moſt ſtrict cloſe Priſoner, no Body alive, but theſe People being allowed to come near me, nor ſpeak to me. *I* cannot tell, or well remember how this money happened to come, but one day after along delay) Mr. *Baily* had 10 l. paid him by *Carres* appointment. But *I* have forgot one thing,

thing, that before my taking of my Oath, *Dolſon* told me, he had made my man (meaning one *John Wheeler*, a former Servant of mine) ſure, and that he would ſwear, he ſaw Mr. *Fitton* and me together, and that he carried a Note for me into the Temple-Church, from me to Mr. *Fitton*, and that *Gifford*, *Simſon*, *Avery*, and divers others, (who ſhould have been Witneſſes to have hang'd me on my Refuſal, as aforeſaid, were all, ſayes *Dolſon*, fully prepared to ſwear on my ſide ſeveral Circumſtances to back my Oath of ſeeing me with Mr. *Fitton*, *&c.* for *Dolſon* knowing that no Body heard him but me, whom he found he had engag'd, began ſtill more and more to be free, but eſpecially after I had taken my Oath, but this was before, and immediately too before; and when he had brought the form of what I ſhould ſwear, and to juſtify and confirm, a day or two after he brought the form as an inducement to me to ſtand firm, and not fear Seconds: he brought this *John Wheeler* up into the Room to me, whom indeed I as much wondered at, as pittyed to ſee) for they had alſo frighted him, as he told me ſince with a double fear; As firſt, That they would clap him into a Dungeon with me, and ſwear things againſt him of being a Comply with me; and another fright, that if he did not juſtify this, his Maſter, meaning me, ſhould looſe his life. The poor Fellow being a Souldier (who all look'd upon my Lord *Gerard* Commanding the King's Guard of Horſe) as their Grand Ruler, was frighted, and what through fear, and the promiſe of a great Reward by *Dobſon*, as he told me ſince (though *Dobſon*, nor any one elſe after he had Sworn in *Michaelmas* Term gave him but 10 s.) was drawn into this confidence to come

face

face to face to me, and say, Master, do not you remember when you sent me once into the Temple-Church, with a Note to this Mr. *Fitton*, Aye, aye, *Jack*, say's *Dobson*; your Master remember's it very well; and so immediately dismissed *Jack*, (through the pretence of my closeness) that I might not, or for fear I should have spoke any thing to have dis-encourag'd him. *Dobson* after made me contrive a Note, that *Jack*'s hand should be to, mentioning something of Mr. *Fitton*; so I saw all was lay'd, and that they would force the Forgery upon me, if not the perjury, and taking away my life to boot. I concluded the form *Dobson* brought must be taken; this last rehearsed was what I should have mentioned before the Oath came to be put.

But now I will proceed to what else followed after the 10 l. was paid Mr. *Bayly* by *Carr*'s appointment, for that Term the hearing in *Chancery* came, and they told me, I should be sent for into the Court. And *Dobson* will'd and highly encouraged me over-night to prepare my self, and speak home: but I was not called. But *Dobson* came to give me an accompt, how the Cause went, and the final hearing was to be the next Term, which was *Michaelmas*. But now instead of my Liberty and mighty rewards, *I* saw nothing but a close imprisonment still, and a declining in any of these Creatures to come near, only *Dobson* once or twice desiring my patience, and that it was not so suitable for my Lord *Gerard* yet to move, and it would in the end prove better to the Cause and me too, &c. So that I saw I was slighted, and must not help my self. But as *I* said, instead of my inlargement, *Dobson* gives *Baily* my under-Keeper a stricter charge of me, to keep me extream close,

that

that no body, priſoner nor other, ſhould ſpeak to me when I was unlockt to go to the houſe of Eaſement, and would give *Baily* a Crown or Angel at a time (as Mr. *Baily* would very honeſtly tell me) to be very ſtrict and careful none ſaw me, being ſtill afraid (as he would often declare) I ſhould be workt upon by any from Mr. *Fitton*. So the long Vacation came, and Mr. *Dobſon* was gone out of Town, and I kept a cloſe Priſoner ſtill. But Sir *Edward Broughton* head-Keeper of the *Gate-Houſe*, being at *Hampton-Court* and with his Majeſty, voluntarily repreſented my Condition to his Majeſtie, and how long I had been cloſe, and his Majeſtie graciouſly granted that I ſhould be no more lockt cloſe. In this time of the Vacation, nothing more of moment paſt, only *Dobſons* Charge, as from my Lord *Gerard*, That *Baily* my Keeper muſt have a ſpecial Caution, who came to me, and a deſcription of Mr. *Fitton* was given him.

But when the Term came, or a litt'e before, I think Mr. *Dobſon* told me I ſhould have ſome perſons come that vvould tell me what they could evidence to ſecond my oath, for that now I muſt come *viva voce* in Court, and therefore it behoved me to look about, and to encourage any that ſhould be Witneſſes, or appear in this buſineſs, and that he would ſtand to me and provide Witneſſes enough. So above a Week after, one Mr. *Cotton* (whom I formerly very well knevv) and one Mr. *Web* came to me; *Web* I knevv not, or whether theſe were ſent by Mr. *Dobſon*, I know not, nor cannot juſtly ſay, but leave it to Judgments of better apprehenſions. But *Cotton* told me plainly the buſineſs he came for, and that vvas, That he heard of the great Tryall that was to

be between the Lord *Gerard* and Mr. *Fitton*, about *Gosworth* Hall in *Cheshire*, (which sayes he, I know full well the house,) and that he understood I was engaged in it, and that he knew my Lord's business was just; and for the respect he bore to my Lord, and good will to me, he was come to proffer himself and his friend to second whatsoever *I* should give in Evidence, if I would but instruct them in the way.

To be brief, I wondred at it, and told them, I could say nothing to a matter of that nature, but *I* told them I would send for one Mr. *Dolson*, who managed my Lord's business, and they might apply themselves to him; if they were so forward to be damned (for these were my very words). Come, come, (sayes *Cotton*) if we be not damned, you must be hang'd, I can tell you so much (sayes he) and therefore pray be wise, and be ruled, sayes he, 'tis no fooling business.

God, here by whom I fetch breath, *I* appeal to, I detesting these horrors in nature, did not at all incline to their motion; but in fine, a meeting was to be at my Chamber with *Dolson* and them two, some three dayes after. And *Dolson* in the interim coming to me, *I* told him what had happened. He told me it was a great providence and *Omen* of our side and my Lord's Cause, that people should voluntarily come to proffer themselves to uphold the Truth, and especially such a one, sayes he, as Esquire *Webb*, a Knights eldest Son, he is of *Yorkshire*, I (sayes *Dolson*) know him very well. In fine, *Dolson* began, and bid me consult what they should swear. I told him, Nothing at all as I know of. Sayes *Dolson*, passionately, *I* think you are born by your obstinacy to ruine your self and those that endeavour

deavour your welfare. Do not you know (ſayes he) that Truth is a naked and weak thing of it ſelf, and is nothing without ſupports: and much after this rate. And at laſt concluded, That *I* muſt appear to cheriſh and encourage them, and he would prepare a Paper for them, and that *I* muſt give it them when they come, and he would come in afterwards. So the next day he drew the model and form of their teſtimony alſo; and he read it to me, and *I* writ it out into my hand for them, becauſe he would never leave his own hand-writing in any thing with me. So they came, and *I* ſhewed them the Writing, and told them, notwithſtanding Mr. *Dolſons* charge to me to the contrary, that there was a Paper of what Mr. *Dolſon* ſaid they knew and could teſtifie concerning me and Mr. *Fitton*.

They liked it well; and afterwards *Dolſon* according to former appointment, came and thanked them for their readineſs to appear in my Lords Cauſe, and in a thing of ſo much Truth and Juſtneſs, and told them my Lord ſhould handſomly conſider them; and their Cloaths being mean, eſpecially *Cottons*, he gave me *6 l.* as I take it, or *8 l.* to give them, to buy them ſome Neceſſaries: But, ſayes he, do you give it them, for it is not fit for me to be ſeen in it, before the Tryal be over; and then I ſhall ſoundly reward them.

Thus were theſe two Witneſſes framed and ordered, and every Wretch train'd, for *Dolſon* would oftentimes turn Judge, and ask them croſs Queſtions, on purpoſe to make them perfect. And then was I viſited by *Dolſon*, *Carre*, and *Prieſtman* often; who finding me but very cold in their manner of proceeding, I believe gave my Lord ſome miſtruſt, that I would decline him, or

that

that *Mr. Fitton* had [illegible] with me; and this I began to understand by *Dolson*, who I believe was in no small fear, that he had put his hand too far in the business.

But this I more plainly saw, when Col. *Chester* called on my Lord, and talkt with him about me: for as Col. *Chester* told me, he did swear, rend, and tear all the Oaths that could be thought on, how he would have me ordered, my fingers and arms cut off, and imprisoned all my life in a Dungeon; or words to this sense, most strangely passionate; which frighted the Collonel so to hear, as he came to me with trembling, and tears, to compassionate my misery, knowing the power my Lord stood in. But at last, as the Col. said, he told me for my comfort, that my Lord should say at last to him. *But do you think he will appear for me?* So I perceived that this was to fright me into a new and firmer Complyance, which was on the other side by *Dolson*, *Carre*, and *Friestman* seconded with most brave words & promises, now of an immediate Delivery out of my Imprisonment, all Charges re-imbursed me, and an Annuity of 100 *l.* a year setled upon me out of the Estate; and that, as they told me, my Lord had sworn it, if I would be firm to perform all this: And the very day before the Tryall, Sir *Edward Broughton* came to me, our Head-keeper of the *Gatehouse*, (*knowing nothing I verily believe of my Lords evil practice upon me*) and he came to me from my L. *Gerard*, as he told me, *To desire me to prepare my self against to morrow, to evidence personally what I had formerly deposed.*

And that my Lord willed him to assure me his Lordship would perform whatsoever was promised me, and especially obtain my Liberty assoon as ever the Tryal

was

was over, and alwayes appear my Friend, and advance me, &c. Thus I seeing there was no remedy to go back, being still under strict Imprisonment, though not so close, and the same Witnesses to be let loose on me, as there were on Mr. *Fitton*, had not I stood to my deposition. I did go the next day, attended by Mr. *Baily*, Mr. *Thomson*, and other Keepers into *Westminster*-Hall; But as I [illegible] said, I did not know *Fitton*, as Mr. *Baily* can tell, I alwayes complain'd on. And therefore Mr. *Baily* was sent for two or three times to bring me betimes into *Westminster*-Hall; and one was appointed by *Carre* to attend me and *Baily* in a great Gold-Bete, and a short blackishman, but what he was I know not, to shew me Mr. *Fitton*; and this Gentleman, Mr. *Baily*, and I, before the Judges sat, waiking in the Hall, just met Mr. *Fitton* in a black Sute, walking between two other Gentlemen, and this person with Mr. *Baily* shewed Mr. *Fitton* to me, and prayed me to observe the middlemost man, for that was he. This Mr. *Baily*, my Keeper, and I think Mr. *Thompson*, another Attendant-Keeper, can testify; Mr. *Baily* knows also I was carried to the opposite side of the Court, and shewed where Mr. *Fitton* sate; for I told them, I did yet scarce know him when I should see him again in Court. But in fine, when the Cause was in hearing, I saw a whole shole of Witnesses ready to be powred in againſt Mr. *Fitton*, all to Evidence Mr. *Fitton*'s and my being together, which Mr. *Fitton*, I hear protest, as I shal answer it before the dread God at the day of Judgment, to my knowledge, I never saw before that very morning he was shewen me, nor never did speak to the said Mr. *Fitton*, or by any other person whatsoever, had any transactions

with him, or for him, yet there most fasly Swore against him as to that Branch, *Holland Simpson*, *John Avery*, *Peter Gifford*, *Thomas Adams*, *John Wheeler*, *Thomas Cotton*, Mr. *Web*, and one whose Name I could not well hear, nor whose person I ever saw before as I know of, his Name was *Grumnall*, or such a Name; the truth of whose Characters and Lives, as is known to all that know them, as well as I, I shall annex, That *I* may let *Mr. Fitton* know as much as possible I know in this horrid Design, that so I may make him some satisfaction, or at least shew him my willingness to Repentance, and his Pardon. Thus I have declared in the presence of God, by whom I now have power of Breath, the truth, as near as I can remember, of the force and horrid Practice of my Lord *Gerard* upon me, or of People by his appointment, compelling me, for preservation of my own life, to injure *Mr. Fitton*, and my own Soul.

Now for what was, and did appear to be the matter of Fact indeed against me, was, for writing for Sir *Allen Apsly*'s Brother two Navy Tickets, with prohibition, that he never used them, which a year and a half's time after I had Written them, he got many of them Counterfeited, and did use them, though to no detriment; yet all contrary to my knowledge. for I onely Writ them two upon his, the said lot, *James Appesly*'s intreaty, and most earnest request to help him forth of his extream Poverty, and starving Condition, which I had compassion on, as he was a Gentleman well discended; for he vowed and protested to me, that he would onely shew these two Tickets to his Brother, that on them being left in his Brothers Hand, he might borrow some money of them for his present Supply, to follow his Business, Negotiating

tiating for ſome money due to him out of the *Cuſtom-Houſe*, vvhich money, if he borrovved any of his Brother on thoſe Tickets, he vovved, he vvould repay to his Brother again vvithin ſix vveeks.

But inſtead thereof, he in a year and a half after, would never return me thoſe Tickets, but got many falſe ones made by them, and put them to ſale for his own profit, and was taken in the Forgery, and committed to the *Counter*; where he moſt baſely, and contrary to Gratitude, and the Soul of a Gentleman, requires my intentions of kindneſs to him, with a Confeſſion or Accuſation, *That I made all theſe his Counterfeits*. I being taken whether or no for this pretended Fact, or any other, I know not; for Sir *Allen Apſly*, this Col. *Apſly*'s Brother, ſets forth in his Commitment of me quite another thing, and as falſe as this his Brothers Accuſation. But I am willing to believe Sir *Allen* might do this rather upon miſ-information, then intention; but his Brother Col. *Apſly* was upon my Apprehenſion, immediatly ſet at liberty, and put into preferment, and ſent to *Portugal*; and *Gifford* and *Simpſon*, that apprehended and rob'd, both rewarded and preferred; who before had not Cloathes to their backs, nor Bread to eat, and I clapt cloſe priſoner.

In which time of my horrid uſage, under that Rogue Serjeant *Row*, and ſtrict reſtraint, if any thing elſe was extracted from me, it was all falſe, and urged by extremity from me. A cloſe impriſonment, being next to the Rack, and can in no wiſe be held ſo much as pretenſively lawful, or agreeable to his Majeſties good Laws, unleſs in Caſes where his Majeſties Royal Perſon (*whom God Almighty protect*) is in *imminent danger*, or

a

a ſubverſion of his Government, or a Rebellion fomented: Under which pretence, theſe two poor Tickets, given to preſerve an unworthy and ungrateful perſon from ſtarving, could never come.

Thus have I ſet down the Truth of the pretended Fact, whatever Deſign might be hatch'd under it, I know not.

Note, That the Original of this Narrative, *was at firſt written in five Sheets of Paper.*

And theſe five ſides of Paper, have I written over with my own Hand, in a rough form, yet true in matter; for I have no other Deſign in writing it, then to the particular ſatisfaction of *M. Fitton*; and not that they ſhould be any cauſe of Controverſies, or further Trouble to any; onely in them I have diſcharged my Conſcience, which by the Force and Compulſion aforeſaid, to this hour ſtood highly burthened; and, in it, I throw my ſelf on the Charitable Cenſure of all Gentlemen, but eſpecially on *Mr. Fitton*'s mercy; and to whom I dedicate this my *Remonſtrance*, ſigned every Sheet and Folio with my own Hand.

The *Errata's*, I muſt confeſs, are many; but my Deſign is not Curioſity, but truth and plainneſs; which in the preſence of God, and theſe Gentlemen that are Witneſſes, I affirm to be the meer Truth: By me,

A. G. Granger.

I do

I do alſo further here declare, in the preſence of theſe Gentlemen, That I never ſaw the ſaid Deed in Controverſie, between my Lord *Gerard*, and *Mr. Fitton*, till *Mr. Norton* ſhewed it me, when the Maſter of *Chancery* came to give me my Oath. Onely *Defoe* had oftentimes told, and exactly deſcribed the ſaid Deed to me, and made me write down the Names of the Witneſſes to the ſaid Deed, that I might remember them. Theſe five ſides of Paper, I have acknowledged to be mine, before theſe Gentlemen, that ſubſcribe their Names.

Signed by me, A. G. Granger.

This was ſubſcribed, and acknowledged, to be all the Hand-writing of *Abraham Gowry Granger*, the 7th Day of *June*, 1663. in the preſence of

John Pugh,
John Jones,
Robert Berry,
Bevis Lloyd,
Edw. Lloyd,
W. Lloyd,
John Cade,
John Wright,
Theo. Humphreys.
Joſeph Ward,
Will. Prince,

Soon after *Granger*, in manner aforesaid, had signed his *Narrative* in the presence of the Gentlemen whose Names are thereunto subscribed as Witnesses; the same thereof came unto the Lord *Gerard*'s Ears, who immediately caus'd Mr. *Alexander Fitton*, and severall of the Gentlemen who attested the said Confession, to be summoned before the most Honourable House of Lords; which great Tribunal was pleas'd (in regard Mr. *Fitton* had not observed the Formalities of the Lawes enacted for preservation of the honour of the Peers, by causing the said *Granger* to be secured and produced, to make good the Matters contain'd in his Confession) to Censure Mr. *Fitton* and three of the Witnesses in manner following; *viz.* That *Alexander Fitton* should be Fined to his Majestie in the Summe of 500 l. and should be committed close Prisoner to the Kings-Bench Prison, untill he should produce *Granger*, and should find Sureties for the good Behaviour during life. And that *Edward Lloyd*, *John Cade*, and *John Wright*, should be committed to the Fleet during the King's Pleasure, and should before their Enlargement find Sureties for the good Behaviour during life.

Their Lordships further Ordered, That two Copies of the said Narrative should be burned, the one in the Pallace-Yard at *Westminster*, the other at the City of *Chester* at such time as the Lord *Gerard* should appoint. This their Lordships did, because the Formalities of Law were not strictly pursued by Mr. *Fitton* and his Witnesses; but their Lordships did not thereby declare, that they did in the least intend to hinder any advantage Mr. *Fitton* could legally make of the aforesaid

ſaid Confeſſion at his Tryal at Law; in order whereunto, and for manifeſtation of Truth, the ſaid Confeſſion was taken and atteſted by the afore-named Gentlemen, and to no other purpoſe whatſoever.

Moreover, the Reader may be pleaſed to take Notice, That Mr. *Fitton*'s Councel at the Lords Barr did aver, That although their Lordſhips might Juſtly Cenſure the Narrative to be a Libel, it wanting the due Formalities required by the Statute; Yet notwithſtanding, the Matter of the ſaid Narrative might be good Evidence in Law, and ought not to be refuſed at the Tryall when ever it ſhould be.

Thus much it is thought good to let all Men know of the Truth of theſe Affairs, becauſe the Lord *Gerard* has endeavoured, not only by verbal accuſations, but private ſingle Papers, and others inſerted into the Books of Weekly Intelligence, printed and diſperſed about the Kingdom, to poſſeſs all mens minds with an opinion of his Proceedings, To the prejudice of the Truth of Mr. *Fittons* Caſe.

FINIS.

Errata.

PAge 3. line 14. for *Ganeſworth*, read *Gaxſworth*, p. 4. l. 6. Salve, r. ſolve. *Ib.* l. 9. ther, r. there. p. 5. l. 21. Trever, r. Trevor. p. 6. l. 9. Bonny beggar, r. Bang beggar. p. 8. l. 15. Seydington, r. Sydington. *Ib.* l. 26. *Jelly*, r. *Folly*. *Caſton*, r. *Coſton*. p. 12. l. 1. r. t ill d with. *Ib.* l. 6. clearneſs, r. ſternneſs. p. 13. l. 23. reſerve, r. preſerve. *Ib.* l. 26. there, r. that. p. 15. l. 1. know, r. knew. *Ib.* l. 11. eyes, r. ages. p. 18. l. 28. tor, r. ſo. p. 20. l. 9. for, r. ſo. *Ibid.* l. 19. how, r. here. *Ib.* l. 26. *Gawdy*, r. *Gandy*, *per totam*. p. 22. l. 16. there, r. the. *Ib.* l. 17. ſubſequence, r. ſubſequent.

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